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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/034,817

12/27/2001

Jean-Claude Abed

34423/242418

3949

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7590

09/28/2004

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EXAMINER

COLE, ELIZABETH M

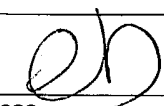
ART UNIT

PAPER NUMBER

1771

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/034,817	Applicant(s) ABED ET AL.	
	Examiner Elizabeth M. Cole	Art Unit 1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 1771

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-2, 6-8, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al, U.S. Patent No. 4,542,060 in view of Reeder et al, U.S. Patent No. 6,468,931. Yoshida discloses a nonwoven fabric as set forth in paragraph 2 of the previous office action. Yoshida differs from the claimed invention because Yoshida does not teach bonding the layers by means of a smooth roll and a patterned roll. Reeder et al teaches that nonwoven fabric laminates may be thermally bonded by means of a pair of pattern roll, a pattern roll and a smooth steel roll, a pattern roll and a rubber roll or other roll combinations known in the art. See col. 6, lines 8-11. Therefore, Reeder teaches that combination of a pattern roll and a smooth roll for use in bonding nonwoven fabric laminates was known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have employed a pattern roll and a smooth roll for bonding the fabric layers of Yoshida et al. One of ordinary skill in the art would have been motivated to employ a pattern roll and a smooth roll for bonding the fabric layers of Yoshida et al because Reeder et al teaches that such rolls were known and were conventionally used and equivalent to the use of two pattern rolls or other combinations of rolls.

3. Claims 1-8, 12, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida in view of Reeder as applied to claims 1-2, 12, 15 above, and further in view of Gessner, U.S. Patent No. 5,593,768 as set forth in paragraph 3 of the previous office action.

Art Unit: 1771

4. Claims 9-12, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaiser et al, U.S. Patent NO. 5,491,016 in view of Reeder et al, U.S. Patent No. 6,468,931. Kaiser differs from the claimed invention because Kaiser does not teach bonding the layers by means of a smooth roll and a patterned roll. Reeder et al teaches that nonwoven fabric laminates may be thermally bonded by means of a pair of pattern roll, a pattern roll and a smooth steel roll, a pattern roll and a rubber roll or other roll combinations known in the art. See col. 6, lines 8-11. Therefore, Reeder teaches that combination of a pattern roll and a smooth roll for use in bonding nonwoven fabric laminates was known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have employed a pattern roll and a smooth roll for bonding the fabric layers of Kaiser et al. One of ordinary skill in the art would have been motivated to employ a pattern roll and a smooth roll for bonding the fabric layers of Kaiser et al because Reeder et al teaches that such rolls were known and were conventionally used and equivalent to the use of two pattern rolls or other combinations of rolls.

5. Applicant's arguments filed 7/22/04 have been fully considered but they are not persuasive. Applicant argues that Yoshida does not teach the claimed bonding pattern. This argument is moot in view of the new grounds of rejection. Applicant argues that in Kaiser the two layers do not comprise outer layers. However, the claim recites a fabric which comprises first and second outer layers. The claims do not preclude the presence of additional layers. In Kaiser the same two layers are disclosed and they are outer layers relative to each other. With regard to the arguments regarding the claimed

Art Unit: 1771

bond pattern, this limitation is addressed by the new rejection relying on the Reeder reference.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Cole whose telephone number is (571) 272-1475. The examiner may be reached between 6:30 AM and 6:00 PM Monday through Wednesday, and 6:30 AM and 2 PM on Thursday.

Mr. Terrel Morris, the examiner's supervisor, may be reached at (571) 272-1478.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Application/Control Number: 10/034,817

Page 5

Art Unit: 1771

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax number for all official faxes is (703) 872-9306.



Elizabeth M. Cole  
Primary Examiner  
Art Unit 1771

e.m.c